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Of Pro Bono Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

LAUREN WATSON

Case No. 3:23-cv-221

Plaintiff

COVER PAGE

vs

NANCY COMBS

Defendant

EXHIBIT 1

COVER PAGE



City of Portland, Oregon
Bureau of Development Services
Property Compliance Program
FROM CONCEPT TO CONSTRUCTION

Dan Ryan, Commissioner
Rebecca Esau, Director
Phone: (503) 823-2633
Fax: (503) 823-7915
TTY: (503) 823-6868
www.portland.gov/bds

NOTICE OF VIOLATION – PROPERTY MAINTENANCE CODE

June 7, 2022

COMBS, NANCY TR
31 MILE CRSE
WILLIAMSBURG, VA 23185-5525

Case #: 22-144616-HS
Posted: 05/26/2022

RE: 1137 NE 112TH AVE
UPTON AC; BLOCK 1; S 42' OF LOT 11; N 18' OF LOT 12; 1N2E34AB 10900; Tax #:
R85180-0340

On May 26, 2022, a City Housing Inspector visited the above address and found violations of Portland's Title 29, Property Maintenance Code. A copy of Title 29 can be found online here:

<https://www.portland.gov/code/29>. This code requires properties to be maintained in a safe, sound, and sanitary condition. Attached to this letter is a list of the violations. Please correct these conditions promptly. **You have thirty (30) days from the date of this letter to correct any violations that are marked CRITICAL, and sixty (60) days to correct all other violations before incurring a fee.**

You must call for a re-inspection to close your case without incurring a fee.

- If violations continue uncorrected beyond the deadline, a monthly code enforcement fee is charged as a lien against your property. If housing violations continue uncorrected three (3) months from the initial Notice of Violation, the monthly code enforcement fee doubles.
- If your property or any part of it is vacant or becomes vacant, it cannot be occupied until the violations are corrected. If any part of the property is reoccupied before all violations are corrected an \$819.00 per month penalty, in addition to the monthly enforcement fee, will be charged until the property is vacated and/or all violations are corrected and approved by the housing inspector.
- For more details on fees, appeals, and enforcement fee waivers, refer to the enclosed information sheet at the end of this letter.

Please contact the inspector listed below. Thank you for your cooperation.

Lee Gonzales
Housing Inspector
(503) 823-8169, lee.gonzales@portlandoregon.gov

OCCUPANT
1137 NE 112TH AVE
PORTLAND OR 97220

Exhibit 1 – Page 2 of 4

LIST OF VIOLATIONS

Please prioritize correction of violations marked **CRITICAL**. Critical violations are currently exhibiting, or likely to exhibit, imminent risk of serious injury, illness, or death. Critical Violations will be given 30 days for correction.

- C1. **CRITICAL** Safety Violation: Sleeping areas lack protection by operable smoke alarms. 29.30.240 (See Note #1)
- C2. **CRITICAL** Safety Violation: Dwelling unit lacks proper protection by an operable carbon monoxide alarm. 29.30.245 (See Note #2)
- C3. **CRITICAL** Safety Violation: Several bedroom windows cannot be opened and or not operable, preventing emergency exit and/or ventilation. 29.30.090
- S1. Safety Violation: Areas of the interior floor and wall coverings (kitchen, bathroom, bedrooms) are damaged and deteriorated. 29.30.110
- S2. Safety Violation: Handrail at the stairs leading up to second floor lack proper returns. 29.30.080
- S3. Safety Violation: Water heater is damaged and or has missing parts. 29.30.170
- S4. Safety Violation: Sections of the concrete driveway are damaged, deteriorated, and uneven. This creates a potential trip or other safety hazard to occupants and pedestrians. 29.30.020
- M1. Maintenance Violation: Light fixture(s) and related switches in the kitchen, at the front entry light, on the second floor (top of stairs), bathroom light fixture cover is missing are malfunctioning and or not operable. 29.30.190
- M2. Maintenance Violation: Several interior doors are damaged, deteriorated, missing hardware and jamb. Interior doors must be in good working condition. 29.30.100 (See Note #3)
- M3. Maintenance Violation: The rear exterior door has inadequate, or missing weather stripping, allowing weather entry. 29.30.100
- M4. Maintenance Violation: The seal between the toilet and floor is not adequate to prevent water penetration. 29.30.110
- M5. Maintenance Violation: The seal between the bathtub and floor and bathtub and wall is not adequate to prevent water penetration. 29.30.110
- M6. Maintenance Violation: The wall covering under stairs has holes or cracks. 29.30.110
- M7. Maintenance Violation: Bathroom baseboard/rubber base is damaged, deteriorated, or missing sections. 29.30.110
- M8. Maintenance Violation: Wall penetration(s) around the toilet water supply line are not sealed. 29.30.110
- M9. Maintenance Violation: Sections of the wall cabinets (hallway, kitchen and east side bedroom) are damaged, deteriorated, or missing. 29.30.110

LIST OF VIOLATIONS

- P1. Permit Violation: Water heater installed without electrical and plumbing permit or inspections.
29.30.170, 29.50.010, 29.50.020 (See Note #4, #7)

NOTES:

1. Note: Smoke alarms required in the following areas:
 - a) In every sleeping area of the dwelling.
 - b) Outside each separate sleeping area within 21 feet of any door to a sleeping room, measured along the path of travel; and
 - c) On each additional floor level, including basements and attics, with habitable space.
 - d) Installed in accordance with the manufacturer's installation instructions and equipped with a 10-year battery and a hush feature.
2. Note: All rental dwelling units must have one or more carbon monoxide (CO) alarm(s) installed in compliance with state Fire Marshal rules and the state building code and maintained per the ORS 90.317, if the rental dwelling unit:
 - a) Contains a carbon monoxide source; or is located within a structure that contains a carbon monoxide source and the dwelling unit is connected to the room in which the carbon monoxide source is located by a door, ductwork, or a ventilation shaft.
 - b) Installed in each bedroom or within 15 feet outside of each bedroom door;
 - c) For bedrooms on separate floor levels in a structure with two or more stories, each story must have separate carbon monoxide alarms; and
 - d) Where a fuel-burning appliance is located within a bedroom or its attached bathroom, a carbon monoxide alarm shall be installed within the bedroom.
 - e) All detectors or alarms installed must be approved, properly functioning, and installed in accordance with the manufacturer's instructions.
3. Note: All interior doors in a dwelling unit require:
 - a) Door and doorframe must be maintained in a sound condition for its intended purpose with the door fitting within the doorframe.
 - b) Door assembly including; door hinges, door locks, and strike plates must be maintained in good condition.
4. Note: Any plumbing work on this rental property that requires a plumbing permit must be done by a by a licensed plumbing contractor.
5. Note: A special investigation fee for work begun without permit will be charged in addition to the regular permit fees, pursuant to ORS 455.058.
6. Note: Most of our permitting services are now offered online and by phone. Please visit our webpage to find out how to submit your permit documents online or make an appointment at: <https://www.portland.gov/bds/permit-review-process>. Or call (503) 823-7357 for general information.
7. Note: All permitted work requires final inspection approvals from a Building Inspector. When all corrections have been made, including permitted work, it is your responsibility to inform your Housing Inspector.

Bathroom light recep??